



Department of Conservation and Recreation
Stewardship Council Meeting

March 7, 2008

Wachusett Regional Headquarters, West Boylston

Meeting Minutes

Stewardship Councilors in Attendance: Chairman Dick Cross, Councilors, Julian Agyeman, Whitney Hatch, Laura Johnson, Henry Lee, John Natoli and Michael Dutton.

Public Attendees: Heidi Ricci, Mass Audubon; Sharl Heller, Friends of Myles Standish State Forest; A. Richard Miller, Cochituate State Park Advisory Committee; Claudia Hurley, Friends of Robinson State Park; Carol Gilmour, Friends of Robinson State Park; Steve Kaiser, Association of Cambridge Neighborhood; Eileen Arnold, Friends of Upton State Forest; Carole Berkowitz, Protection Water Resources; Mike Ryan, Friends of Fells; Kathee Breumayei, Friends of Robinson State Park; Mr. and Mrs. Denis Melican, Moore State Park.

DCR Staff in Attendance: Commissioner Rick Sullivan, Gary Briere, Marianne Fleckner, Conrad Crawford, Stephanie Cooper, Jeff Daley, Siobhan McIntyre, Scott Murphy, Joe Rotondo, Bill Salomaa, John Scannell, Suzanne Wilson, and Jonathan Yeo.

I. **Call To Order (13:02), Councilor Cross**

- a. Councilor Cross welcomed everyone and introduced Conrad Crawford as the new Director of Partnerships at DCR, External Affairs Division at DCR. He noted that the Stewardship Council looks forward to formalizing the structure and process of partnerships with the newly appointed Director and advised that this is a great opportunity for all those interested in working in the parks and with DCR. Councilor Cross also mentioned that the OHV Enforcement committee is really an extraordinary example of the great strides this agency has accomplished. Councilor Cross informed the Council and public that next month meeting will be concurring with the DCR's Supervisors' Academy, April 4, 2008 in Devens, Ma. He explained that the event presents a good opportunity to get in touch with those who operate in parks on a day to day basis. Introduced Commissioner Sullivan.

II. **Commissioner's Report, Commissioner Rick Sullivan**

- a) Commissioner Sullivan greeted the Stewardship Council and audience. He introduced Jonathan Yeo, Director of Water Supply Protection and recognized him for his efforts, particularly considering the spring season and flooding concerns. Commissioner Sullivan introduced John Scannell, Regional Director at Wachusett Reservoir.
 - i. **John Scannell, Regional Director, Wachusett Reservoir**
Scannell welcomed all to Wachusett Reservoir, and gave a brief history of the reservoir. One of the things he explained is that although most of the water comes from the Quabbin Reservoir, majority of the water passes through the Wachusett Reservoir on its way to its final destination. The Wachusett Reservoir is a smaller reservoir that has about 50% of water, which ultimately reaches system, comes from Quabbin. He gave an explanation about the facility, mentioned from this location they manage all of the watershed protection programs at Wachusett and the Sudbury backup reservoirs. The building also houses the emergency response center, and the regional headquarters does a lot work with local agencies to maintain and protect the reservoir.
- b) Commissioner Sullivan announced that through the efforts of Suzanne Wilson, Director of External Affairs and the EA Division, DCR has awarded \$1.5m in partnerships. He noted that

prior to this year, the partnerships program was managed out of the secretariat (EOEEA) office, but now the program is managed through DCR. This year, DCR awarded 37 projects, some with one to one funding matches, and, for the first time, some were granted one to two funding matches. These programs are quite diverse and stretch all the way across Commonwealth.

- c) The Commissioner noted that the agency's FY07 annual report has been released and has been distributed.
- d) The Commissioner announced that he will accept an invitation from the Pennsylvania Secretary of Conservation and Natural Resources to take part in a national summit meeting regarding collaborative efforts between states; this initiative was spearheaded by Pennsylvania, and 16 states are thus far involved. The Commissioner noted he looks forward to attending and representing the Commonwealth.
- e) On February 19, 2008, Commissioner Sullivan mentioned he was fortunate to be able to take part in DCR's Universal Access (UAP) skating program with Secretary Bowles. UAP is growing throughout the Commonwealth in general. For example Commissioner Sullivan mentioned that he attended the sled hockey event at the Steriti Rink in the North End provided by UAP. During the course of event, he spoke with many grateful parents, who were happy to get their whole family involved with the assistance of staff. This is part of core mission of DCR, and the state will be seeing a lot more programs in the future.
- f) Finally, the Commissioner thanked all from the Stewardship Council, the finance committee, particularly Marianne Fleckner, Rosemary Powers in Legislative Outreach, Stephanie Cooper and all department heads who had helped to put together the budget. Commissioner Sullivan informed the council and public that the budget meeting in which DCR went before the Dept. of Transportation, and many members, including Chairman DeLeo went very well, and during the meeting, DCR and the staff was complimented about their work over last year and they look forward to the future of DCR. Commissioner Sullivan noted that Rosemary Powers from Governmental Affairs notified him of the hearing for the Environmental Bond Bill will be held as early as next Thursday, and it looks like things on that front are moving pretty quickly.

III. Committee Updates Chairman Cross

a. **Finance Committee, Councilor Hatch**

- I. Councilor Hatch noted that the finance committee has met, and initially asked the legislators to consider the spending plan submitted to administration by DCR, including the Environmental Bond Bill. He mentioned that the finance committee had drawn up two letters which will be presented to the legislatures and suggested to vote on them today:
 - i. Councilor Hatch addressed the structure of letter, which was previously emailed to the Council; which included discussion on the FY09 operating budget and House II proposal. Councilor Hatch mentioned that these two items are viewed more positively (i.e. more proposed funding than in past), noting, however, the budget that DCR faces is a shadow of its former self. Councilor Hatch informed the council and public that the finance committee extensively reviewed and have an understanding of what came out of the House budget. There were various recommendations Councilor Hatch discussed such as focusing on permitting for drinking water, which comes up every 10 years, and suggested funding and contractors be hired. Another highlighted need is in regards to the FAMIS system, which helps the agency do its work and found a key position that was not funded because of flat funding on urban parks side. Councilor Hatch mentioned how the

finance committee was pleased that the Governor's House II budget came out recommending an increase in retained revenue by \$2.3 million. The finance committee emphasizes that DCR needs to think clearly about getting new funding and about putting fees in. The finance committee recommended leaving in the new allowance to keep money, but work to phase in new revenue system. On this note, Councilor Hatch reiterated the need for goals and objectives on Resource Management Plans, and their dedication to carrying these out.

- ii. **Comments:** Councilor Wolf commented that user fees can be a slippery slope, and he is concerned this could be the beginning of something that could have undetermined consequences. However, he is not concerned right now, but urges caution. Councilor Hatch reported that the finance committee is looking at sitting down and examining the new revenue requirement to work, possibly over three years, to be able to buffer the shock any new system might impose. Councilor Wolf asked where the funding come from now. Commissioner Sullivan responded that funds come from all types of places, billboards, parking, and right now DCR collects \$7 million more than the agency is allowed to keep.
 - iii. Councilor Hatch moved to adopt the letter. The Stewardship Council decided the chair of the finance committee will sign. *ALL IN FAVOR 13:27*
- II. Councilor Hatch stated that there is good news in regards to the Environmental Bond. The administration filed roughly \$740 million for all the environmental agencies, which is great funding. Councilor Hatch added that because the bond submitted by the administration contained less funding than the agency initially requested, the finance committee planned review the matter more closely and may ask the Council to consider recommending an amendment. Councilor Hatch also noted that DCR originally asked for \$884 million bond funding, and, at the last minute, settled on recommending \$739 million. He recommended that the Stewardship Council ask Marianne Fleckner to outline what was dropped out from DCR's initial request. Subject to this review and potential amendments, Councilor Hatch moved to adopt a letter endorsing the Bond, and the rest of the council members agreed. Councilor Hatch also recommended the Stewardship Council join the environmental bond coalition, which has 200 + members. *ALL IN FAVOR 13:27*
- III. Councilor Lee stated that for the last two years, the council has received a dozen and a half reports regarding the lack of optimal management at the DCR parks. It has never been determined what an optimal management level for DCR properties is and what is the total tally of numbers of staff and management needed for optimal management at the parks. Councilor Hatch said determining what adequate management is, ways heavily on the finance committee's mind, but encouragingly both the capital bond bill and environmental bond bill recommend investments in the Resource Management Plan side - there's certainly more work to do, which needs to be defined. Commissioner Sullivan said there have been discussions held with Jack Murray, Deputy Commissioner of Park Operations, Priscilla Geigis in State Parks and Sam Overton in Urban Parks regarding the needs, standards and requirements of management in our parks. DCR hopes in conjunction with Resource Management Plans to be able to put together information and form standards. The system has worked based on how much money is available. Councilor Lee noted that conversation on standards and funding is something the Stewardship Council hopes to have discussions about, and Councilor Cross noted that we must strive to reach objectives, so we can think about managing rationally. He reiterated that the Resource Management Plan process is some manner to identify which parcels warrant the greatest level of attention, by knowing something about them, we can think about becoming custodians of these parks. Councilor

Lee noted that we now have unique opportunity with this administration that encourages this process and shares goals with the council. Councilor Wolf stated that the Council and DCR need to define what we mean when we talk about gap analysis; he said it's difficult to ask for money for something undefined when we do not know what is missing. This knowledge would be a tool in asking for funding, for action, whatever needs to be done for gap analysis. Councilor Wolf feels the Council or DCR should start building an assessment of gap analysis. Commissioner Sullivan said DCR can accept this as a directive.

- IV. Commissioner Sullivan informed the council that DCR is moving forward in looking for a replacement for Leslie Luchonok. Councilor Agyeman mentioned that Massachusetts has a great amount of forest and, as climate change presents itself, the committee has had a hard time integrating climate change initiatives. Councilor Lee mentioned he had visited web pages and made phone calls to look at what other states are currently doing in terms of climate change. He gave California as an example – their website has a whole section on climate change on forests and mentioned Washington State's plans. The change in temperature and disease factors, with the probability of warming trend and effect on floral and fauna over the long term, the climate must factor in to DCR's plans. Councilor Cross asked if Councilor Lee had any recommendations and Councilor Lee said he had no recommendation at this time, but wanted to raise this issue to the Council.

Comments

1. Councilor Natoli voiced support of Councilor Lee's interest for a climate change initiative, and emphasized the need to figure out what we should be doing. Councilor Dutton asked if there was a directive from Secretariat to analyze climate change. Commissioner Sullivan affirmed this, and said the Secretariat will eventually present this at a Stewardship Council meeting in the future. Secretary Ian Bowles is spearheading this initiative with all agencies under his secretariat and most likely a representative from the Department of Environmental Protection may speak to this. Jonathan Yeo responded that there is a group within EOEEA agencies that have been working on climate change initiatives, looking at both adaptation and mediation. Councilor Dutton said he would like to see RMPs reflect a consistent approach to how DCR is dealing with climate change, and that having an overall strategy is critical. Councilor Agyeman noted that a huge amount of data is already available at universities in Massachusetts, already on record, such as Tufts and Harvard that can be utilized.

b. Resource Management Plan Committee, *Jeff Daley*

- i. Jeff Daley mentioned that staff assigned to the RMPs has discussed developing planning units, and they have met with district managers to finalize these groups by geographic areas, as early as next week these meetings will conclude. Mr. Daley also mentioned that the agency has another person gathering data from all warehouses (FAMIS, etc.) to see what is available. On different fronts people are starting to pull data together, and hopefully by end of year, progress has been made.

c. Policy Committee, *Julian Agyeman*

- i. Councilor Agyeman stated that the committee was waiting to hear from Gary Briere, as their main concerns are about the OHV process.

IV. Off-Highway Vehicle Enforcement Group Update, *Bureau Chief Recreation, Gary Briere*

- a. Gary Briere discussed the Supervisors' Academy and its schedule which was provided to the council. He explained the event, and noted that this year's academy will feature a broad safety program. All Stewardship Council members are invited to attend the event and this

provides a great opportunity to meet park supervisors and participate in informative sessions. He encouraged the members to participate, adding the Stewardship Council members would be introduced at noon to DCR staff prior the scheduled Stewardship Council meeting.

- i. **Comments:** Councilor Johnson asked if there are standards and tracks for employees to move through. Gary Briere responded that with waterfront safety, last year, there was a specific curriculum, but this year's program is broader with more diverse body of employees. He mentioned that DCR has a new education program (PACE), for first time, agency may track educational efforts of employees, all registered through PACE. Councilor Johnson asked if this is tied into performance review system, and Gary Briere responded that no, not yet, but this allows them to compare information about performance metrics. Marianne Fleckner explained that the PACE program generates certificates and provides transcripts for employees training performances.

- II. **OHV Management:** Gary Briere said next month will be major opportunity to present the completion of the working groups efforts, these groups have shared their comments and have really put together a wonderful document. There are about 40 recommendations that have emerged from this group, and these are the areas of agreement these 25 groups have been able to find. He mentioned that, although not everyone agrees on all points, these are the areas of agreement for this diverse group. Later on this month, the group will complete efforts and deliver the document to Commissioner Sullivan, Undersecretary Griffiths of EEA and Director Hamlin (law enforcement). Mr. Briere mentioned he would like to have members of working group, as well as Hamlin and Bob O'Connor, to reflect the breadth of group. Following that meeting, Mr. Briere would like to deliver a document specific to DCR, as the challenge of this working group, while representing many perspectives, may end up clouding what will happen on DCR specific properties. He will work with Curt Rudge to draw up this document, which will represent DCR's viewpoint alone and fill the gap between the larger view of state law and regulations and DCR's specific needs on the ground. He hopes that by the May meeting they will have these two pieces - the large document and more specific details for DCR. Councilor Cross thanked Gary Briere.

- i. **Comments:** A members of the OHV working group commented on this second piece and made recommendations on what will be included. She suggested an interagency agreement be included, outlining how agencies will interact, and also work out agreements with Fish and Wildlife and DEP for enforcement of Endangered Species act and serious violations. She requested to factor in who reports and how problems are tracked, as this needs to be transparent, so the public knows how to report. She noted that there needs to be assurance that a certain level of severity will be enacted in enforcement in a certain amount of time, given resource these agencies have.

IV. **Ashmere Lake Dam, Bill Salomaa**

- I. Councilor Cross announced that the next item on the agenda is the friendly taking of land, just shy of seven acres from the Faheys, adjacent to Ashmere Lake Dam that will be influential in preserving the dam, and larger will become a piece of state property, specifically Pittsfield State Forest. Commissioner Sullivan introduced Bill Salomaa and thanked for him for his work and recognized the phenomenal job his shop does in handling the State's dam concerns, and highlighted the dams over the last month that have posed problems.
- II. Mr. Salomaa noted he was asked to answer questions by Assistant General Counsel Frank Hartig the Council might have. He briefly described the dam: the dam was acquired by the state 30 years ago from the Crane paper Co., and is connected to a satellite property of Pittsfield state Forest; the dam is 1500 ft. long, 30 feet high, and abuts the 300 acre lake, Ashmere Lake in Hinsdale; DCR owns property off a local paved road, ¼ off road improved point of access for public; the dam dates back to 1870s, it was designed for old technologies, and has stood test of time, but now it is time to repair. Bill

Salomaa was commissioned five or six years ago to look at work needed to be done. In order to restore the dam, DCR would need to encroach on land down stream, as the dam is too steep, and this slowed the process. The need to approach Mr. Fahey, who is very receptive, about the property arose. In the engineering group, the dam maintenance manager negotiated the taking, consisting of a strip at the end of dam, 2 outlets on the dam, and a low level outlet and a surface outlet to form Bennet Brook, which adds to the Housatonic River. This parcel adds to the ACEC in the area, much falls on private land, but quite beneficial to own parcel near Bennett Brook. The negotiation was beneficial to both parties, and was about 40 acres in size; Mr. Fahey maintains the rights to the portion of Bennet Brook. The price is 2, 090 per acre, and all stakeholders are considered content. The legal process has been followed, the order of taking, which Commissioner Sullivan will sign, and preceding that Counsel Hardig made sure to comply with chapter 132a sec. 3 that defines the method that the department can handle purchasing property, and that he has complied with section 3a, defining DCR's responsibilities when involved in imminent domain takings, including board of health considerations.

- i. **Comments:** Councilor Natoli asked on what kind of schedule is the dam on for inspections. Mr. Salomaa answered this is high level potential, and defined "high" as dam failure would result in fatalities if failed, so every two years a thorough inspection, costing near \$4,000 by professional inspector, is required. This dam is fine, but is showing signs of old age, and routine maintenance after initial repairs should last 50 -100 years; trees are a big problem for dams. Councilor Dutton asked if there is additional public access to parcel, and if there are plans for further recreational development. Mr. Salomaa said that the gravel unimproved road on north side of lake would be improved and the public boat ramp at the DCR entrance would be paved. As far as day use, he said the council would have to ask elsewhere.

V. **Approval of Minutes from November 2, 2007 and January 4, 2008 meetings**

- I. Councilor Cross motioned to approve the November minutes and January minutes
- II. *All in favor, with corrections*
 - a. Councilor Lee requested a correction to November minutes, pending, Lee was replaced with Dean as the head of the RMP subcommittee and this needs correction. He also noted in the January minutes he had questioned the ceiling on the bonding authority, not on the bond itself.

Update:

- III. Commissioner Sullivan gave an update on the appointment of additional Stewardship Council members. He noted DCR is looking at resumes, a number of the resumes are on the Governor's desk, but the process is slow. Councilor Wolf asked how DCR plans to handle the staggering issue and turn over for the Council. How does the process work in the seven year time frame? He noted that, if we all walk out in seven years, there will be no continuity. Commissioner Sullivan responded that the question had not been raised before, and the desire would certainly not be to lose everyone at the same time. DCR will look into this.

VI. **Public Comment**

- a. **Claudia Hurley**, Friends of Robinson State Park
 - i. Hurley thanked members for coming out to the Quabbin area. She mentioned that people from the Western part of the state are concerned about the dramatic increase in proposed timber sale, and would like to know if it's related to the green certification. She questioned whether some of parks that have forested areas should be used for these sales. She expressed an interest in getting a member as part of group who is well versed on this subject and from western part of state. Commissioner Sullivan said maybe we could set up a presentation on land certification in the Quabbin area. He said Bob O'Connor will be working on recertification and this is actually up for renewal. He mentioned that MA is the only

state where all lands are green certified, and a recent discussion has been held on certification and how DCR plans to move forward. He said there will hopefully be a public comment portion to that. Hurley also expressed interest in climate change.

b. Mike Ryan, Friends of the Fells

- i.** Ryan mentioned he had invited the Commissioner to the Fells and presented a PowerPoint presentation to demonstrate the result of inadequate management. He noted that during the merger resources were lost, and he wanted to demonstrate what ranger presence could do in the Fells. He said much progress had been made by an ad hoc parkway support group; they met with various committees, and he is pleased to note the bond bill was adopted with language in regards to recognizing guidelines for standards by which parkways will be maintained. He said he was pleased to see Sec. 13 of the transportation bond bill removed. Steve Kaiser, Mike Ryan, and Joe Duran visited 40 senate offices to have senators sign on, because he still sees problem in Sec. 13 language. There is support in legislative to maintain parkways as part of parks. MA forest and park friends' network has been formed, first statewide network, and they have launched a website. Councilor Cross said the Council looks forward to working with the group and thanked Mike Ryan.

c. Steve Kaiser, Friend of the Parkway

- i.** Kaiser mentioned that he currently has two letters in circulation - one from parks caucus, one in response from Secretary Bowles. He noted the significance of the Secretary of Environmental Affairs asserting over Department of Transportation for the first time.

d. Carole Berkowitz, representing Fiske Pond, Natick

- i.** Berkowitz cited many calls from Anne Monnelly and Natick Conservation Commissioner, as an example of people working together in terms of Lake Cochituate, looking for ways to find funding for water chestnut harvester at Fiske Pond. She said she would like to bring this to the attention of DCR, as this needs to happen quickly. Commissioner Sullivan responded Anne Monnelly is working with Jonathan Yeo and Representative Linsky, and they are aware of the short window.

e. Dick Miller, Ma. Bicycle and Pedestrian Board

- i.** Miller questioned on behalf of dedicated money for rail trails - did inventory of Mass. in comparison to other states, and noticed state is not picking up federal monies for matching - asked how to tap in to federal funding. Lake Cochituate - Fiske Pond, upstream of LCSP, stressed urgency on water chestnut issue and promoted the need to organize and flag problems. He notified the Council he has established a webpage on Dudley Pond. Follow up on monies for Lake Cochituate graduate student study, would like follow up. Commissioner Sullivan said Anne Monnelly has been spending much time on Cochituate, two sides to this, one: herbicides, both student and Anne M. will present on management. DCR is paying serious attention to this property.

f. Eileen Arnold, Friends of Upton State Forest and Civilian Member of the CCC Committee

- i.** She thanked the Commissioner and the Stewardship Council, and repeats a suggestion for central Mass. meetings. She urged all to attend Statehouse CCC anniversary event; she handed out a brochure for Upton State Forest's CCC event - the Upton friends group was founded in 2005 over concerns about condition of park and illegal OHV use. Their peak membership is around 140, maintained 125 and 130, she left a summary of goals, education, and mentioned Upton friends are proud of their partnership with DCR and local history teachers. She thanked DCR for

Partnership grants, and last year they restored the park's gateway; this year, a new flagpole and iron ranger will be installed.

VII. **Closing Address, Councilor Cross**

Councilor Cross said this meeting has been about getting things done, and thanked staff and all meeting attendees. He noted that, as friends groups are evolving, great opportunities are presented to meet common ends; there are many wonderful opportunities and so little resources to meet them, and it is important to keep in mind that this is a forum to seek common ground on these issues. He recognized that Conrad Crawford will have quite a job to do, making sure the connective tissue is strong, and to assure all parties are seeking the same end.

VIII. **Meeting Schedule** – Next meeting will be Friday, April 4, 2008 at Devens Commons Center SpringHill Suites by Marriot in Devens, MA.

Meeting adjourned 13:15